



"Nellermoe, Leslie C."  
<Leslie.Nellermoe@hellerehr  
man.com>

10/01/2008 03:03 PM


To Kristine Koch/R10/USEPA/US@EPA

cc Elizabeth McKenna/R10/USEPA/US@EPA, Lori  
Cora/R10/USEPA/US@EPA, gary.church@ashgrove.com,  
eileen.flink@ashgrove.com

bcc

Subject Re: Ash Grove Cement Response to EPA's 104(e)  
Information Request

History:

 This message has been replied to.

Thank you for your quick response, Ms. Koch. Although the dissolution vote was taken late last week and the decision final on September 26, 2008, operations at Heller Ehrman have been disrupted for some time. I was optimistic that we would be able to meet the deadline, but we were not able to. The operations of the firm are winding down, and all of the attorneys and staff are moving to new firms with client files. That process also affects my ability to assist Ash Grove in finalizing its responses. I assure you that Ash Grove is working diligently as am I. Accordingly, I respectfully request that you extend the deadline for Ash Grove's response submittal to October 24, 2008. Thank you.

Leslie Nellermoe

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----- Original Message -----

From: Koch.Kristine@epamail.epa.gov <Koch.Kristine@epamail.epa.gov>

To: Nellermoe, Leslie C.

Cc: mckenna.elizabeth@epa.gov <mckenna.elizabeth@epa.gov>; cora.lori@epa.gov <cora.lori@epa.gov>

Sent: Tue Sep 30 13:31:29 2008

Subject: Ash Grove Cement Response to EPA's 104(e) Information Request

Ms. Nellermoe - EPA is unclear how the dissolution of your law firm affects the Ash Grove Cement Co. response to the EPA's 104(e) Information Request. The deadline for the response is today (9/30/2008); however, the dissolution did not take place until last Friday (9/26/2008). EPA is assuming that the response was nearly complete and that you would not need more than a couple weeks to complete it. If I do not hear from you by COB tomorrow, I will send a letter granting Ash Grove Cement Co. a two week extension.

Sincerely,

Kristine Koch  
Remedial Project Manager  
USEPA, Office of Environmental Cleanup

U. S. Environmental Protection Agency  
Region 10  
1200 Sixth Avenue, Suite 900, M/S ECL-115  
Seattle, Washington 98101-3140

(206)553-6705  
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1-800-424-4372 extension 6705 (M-F, 8-4 Pacific Time, only)

"Nellermoe,  
Leslie C."  
<Leslie.Nellermoe@hellerehrman.com>  
To  
Kristine Koch/R10/USEPA/US@EPA  
cc  
Lori Cora/R10/USEPA/US@EPA,  
09/29/2008 03:40 PM Elizabeth  
McKenna/R10/USEPA/US@EPA  
Subject

Dear Ms. Koch,

As you know, I represent Ash Grove Cement in connection with the Portland Harbor Site. Thank you for your consideration in response to my recent request to postpone the date on which Ash Grove submits its answers to the outstanding 104(e) request. The new date, based on the computer failure, is tomorrow, September 30, 2008.

You may not know that my law firm, Heller Ehrman, is in dissolution as of Friday, September 26, 2008. That creates significant challenges in completion of Ash Grove's responses. Accordingly, I write to advise you that Ash Grove is will not be submitting its responses as scheduled tomorrow. I continue to work with Ash Grove and its consultants toward completing this project quickly, but, because of the uncertainty created by my position, am unable to predict when it will be completed.

I would be happy to answer any questions you may have about these circumstances and look forward to completing this important work.

Leslie Nellermoe | Attorney | HellerEhrmanLLP | 701 Fifth Avenue, Suite 6100 | Seattle, WA 98104  
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